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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Case No. 19-CR-20112

Plaintiff,

Hon. Matthew F. Leitman

v.

United States District Court

D-1 DONTSE WOODS a/k/a DOLLA,

Hon. Stephanie Dawkins Davis

D-2 JAMES WOODS a/k/a DUTY,

United States Magistrate Judge

D-3 ALBERT LEE a/k/a ALEE,

D-4 DAMARIO HORNE-MCCULLOUGH a/k/a RIO,

D-5 LARRY ELAM a/k/a LITTLE,

D-6 MERCEDES DENNY a/k/a JUICY,

D-7 CHRISTOPHER WILSON a/k/a CASH,

D-8 TYREESE WILSON a/k/a TY,

D-9 DONTAE STONE a/k/a T,

D-10 DEMARLON CUNNINGHAM a/k/a FUR, and

D-11 DEMARLOWE CUNNINGHAM a/k/a CITY.

Defendants.

FILED
SEP 11 2019
U.S. DISTRICT COURT
BAY CITY, MICHIGAN

FOURTH SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

**Conspiracy to Possess with Intent to Distribute and to
Distribute Controlled Substances
(21 U.S.C. §§ 846 and 841(a)(1))**

D-1 DONTSE WOODS a/k/a DOLLA,

D-2 JAMES WOODS a/k/a DUTY,

D-3 ALBERT LEE a/k/a ALEE,

D-4 DAMARIO HORNE-MCCULLOUGH a/k/a RIO,

D-5 LARRY ELAM a/k/a LITTLE,
D-6 MERCEDES DENNY a/k/a JUICY,
D-7 CHRISTOPHER WILSON a/k/a CASH,
D-8 TYREESE WILSON a/k/a TY,
D-9 DONTAE STONE a/k/a T,
D-10 DEMARLON CUNNINGHAM a/k/a FUR, and
D-11 DEMARLOWE CUNNINGHAM a/k/a CITY.

From a date unknown to the grand jury, but since at least May 2017, to on or about February 27, 2019, in the Eastern District of Michigan Dontese Woods a/k/a Dolla, James Woods a/k/a Duty, Albert Lee a/k/a Alee, Damario Horne-McCullough a/k/a Rio, Larry Elam a/k/a Little, Mercedes Denny a/k/a Juicy, Christopher Wilson a/k/a Cash, Tyreese Wilson a/k/a TY, Dontae Stone a/k/a T, Demarlon Cunningham a/k/a FUR, and Demarlowe Cunningham a/k/a CITY, knowingly conspired and agreed together and with other persons, both known and unknown to the grand jury, to possess with intent to distribute and to distribute controlled substances, in violation of 21 U.S.C. § 841(a)(1). The conspiracy as a whole involved a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanimede, commonly known as fentanyl, a schedule II controlled substance, 28 grams or more of a mixture or substance containing a detectable amount of cocaine base, a Schedule II controlled substance, and 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, all of which is

attributable to each defendant as a result of their own individual conduct, and the conduct of other conspirators reasonably foreseeable to each of them.

All in violation of 21 U.S.C. § 846.

ENHANCED PENALTY

Death or Serious Bodily Injury Resulting From Use of Controlled Substance
(21 U.S.C. § 841(b)(1))

D-1 DONTSE WOODS a/k/a DOLLA and
D-7 CHRISTOPHER WILSON a/k/a CASH

As a result of acts committed by Dontese Woods a/k/a Dolla, and Christopher Wilson a/k/a Cash, and acts committed by other conspirators reasonably foreseeable to them, in furtherance of the conspiracy alleged in this Count of this Fourth Superseding Indictment, the death and serious bodily injury of M.B., on or about November 23, 2017 resulted from the use of a controlled substance, namely, a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly known as fentanyl, in violation of the enhanced penalty provisions of Title 21, United States Code, Sections 841(b)(1)(C).

COUNT TWO
Use of a Communication Facility
(21 U.S.C. § 843(b))

D-1 DONTESE WOODS a/k/a DOLLA

Beginning on a date unknown to the grand jury, but at least since December 2018, and continuing at least until February 15, 2019, in the Eastern District of Michigan, DONTESE WOODS a/k/a DOLLA, knowingly used and caused others to use a communication facility, that is a telephone, in committing, causing, and facilitating the commission of an act or acts constituting a felony under the Controlled Substances Act, that is, conspiracy to possess with intent to distribute and to distribute cocaine base and heroin, in violation of 21 U.S.C §§ 846 and 841(a)(1), as set forth in Count One of this indictment and incorporated by reference herein.

All in violation of 21 U.S.C § 843(b).

COUNT THREE
Use of a Communication Facility
(21 U.S.C. § 843(b))

D-2 JAMES WOODS a/k/a DUTY

Beginning on a date unknown to the grand jury, but at least since December 2018, and continuing at least until February 15, 2019, in the Eastern District of Michigan, JAMES WOODS a/k/a DUTY knowingly used and caused others to use a communication facility, that is a telephone, in committing, causing, and facilitating

the commission of an act or acts constituting a felony under the Controlled Substances Act, that is, conspiracy to possess with intent to distribute and to distribute cocaine base and heroin, in violation of 21 U.S.C §§ 846 and 841(a)(1), as set forth in Counts One of this indictment and incorporated by reference herein.

All in violation of 21 U.S.C § 843(b).

COUNT FOUR
Use of a Communication Facility
(21 U.S.C. § 843(b))

D-3 ALBERT LEE a/k/a ALEE

Beginning on a date unknown to the grand jury, but at least since December 2018, and continuing at least until February 15, 2019, in the Eastern District of Michigan, ALBERT LEE a/k/a ALEE knowingly used and caused others to use a communication facility, that is a telephone, in committing, causing, and facilitating the commission of an act or acts constituting a felony under the Controlled Substances Act, that is, conspiracy to possess with intent to distribute and to distribute cocaine base and heroin, in violation of 21 U.S.C §§ 846 and 841(a)(1), as set forth in Count One of this indictment and incorporated by reference herein.

All in violation of 21 U.S.C § 843(b).

COUNT FIVE
Use of a Communication Facility
(21 U.S.C. § 843(b))

D-4 DAMARIO HORNE-MCCULLOUGH a/k/a RIO

Beginning on a date unknown to the grand jury, but at least since December 2018, and continuing at least until February 15, 2019, in the Eastern District of Michigan, DAMARIO HORNE-MCCULLOUGH a/k/a RIO knowingly used and caused others to use a communication facility, that is a telephone, in committing, causing, and facilitating the commission of an act or acts constituting a felony under the Controlled Substances Act, that is, conspiracy to possess with intent to distribute and to distribute cocaine base and heroin, in violation of 21 U.S.C §§ 846 and 841(a)(1), as set forth in Count One of this indictment and incorporated by reference herein.

All in violation of 21 U.S.C § 843(b).

COUNT SIX
Use of a Communication Facility
(21 U.S.C. § 843(b))

D-5 LARRY ELAM a/k/a LITTLE

Beginning on a date unknown to the grand jury, but at least since December 2018, and continuing at least until February 15, 2019, in the Eastern District of Michigan, LARRY ELAM a/k/a LITTLE knowingly used and caused others to use

a communication facility, that is a telephone, in committing, causing, and facilitating the commission of an act or acts constituting a felony under the Controlled Substances Act, that is, conspiracy to possess with intent to distribute and to cocaine base and heroin, in violation of 21 U.S.C §§ 846 and 841(a)(1), as set forth in Count One of this indictment and incorporated by reference herein.

All in violation of 21 U.S.C § 843(b).

COUNT SEVEN
Use of a Communication Facility
(21 U.S.C. § 843(b))

D-6 MERCEDES DENNY a/k/a JUICY

Beginning on a date unknown to the grand jury, but at least since December 2018, and continuing at least until February 15, 2019, in the Eastern District of Michigan, MERCEDES DENNY a/k/a JUICY knowingly used and caused others to use a communication facility, that is a telephone, in committing, causing, and facilitating the commission of an act or acts constituting a felony under the Controlled Substances Act, that is, conspiracy to possess with intent to distribute and to distribute cocaine base and heroin, in violation of 21 U.S.C §§ 846 and 841(a)(1), as set forth in Count One of this indictment and incorporated by reference herein.

All in violation of 21 U.S.C § 843(b).

COUNT EIGHT
Use of a Communication Facility
(21 U.S.C. § 843(b))

D-7 CHRISTOPHER WILSON a/k/a CASH

Beginning on a date unknown to the grand jury, but at least since December 2018, and continuing at least until February 15, 2019, in the Eastern District of Michigan, CHRISTOPHER WILSON a/k/a CASH knowingly used and caused others to use a communication facility, that is a telephone, in committing, causing, and facilitating the commission of an act or acts constituting a felony under the Controlled Substances Act, that is, conspiracy to possess with intent to distribute and to distribute cocaine base and heroin, in violation of 21 U.S.C §§ 846 and 841(a)(1), as set forth in Count One of this indictment and incorporated by reference herein.

All in violation of 21 U.S.C § 843(b).

COUNT NINE
Possession with Intent to Distribute Cocaine Base
(21 U.S.C. § 841(a))

D-7 CHRISTOPHER WILSON a/k/a CASH

On or about May 13, 2017, in the Eastern District of Michigan, the defendant, CHRISTOPHER WILSON a/k/a CASH, knowingly and intentionally possessed with intent to distribute a substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a).

COUNT TEN
Possession with Intent to Distribute Cocaine Base
(21 U.S.C. § 841(a))

D-2 JAMES WOODS a/k/a DUTY

On or about June 24, 2018, in the Eastern District of Michigan, the defendant, JAMES WOODS a/k/a DUTY, knowingly and intentionally possessed with intent to distribute a substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a).

COUNT ELEVEN
Distribution of Heroin
(21 U.S.C. § 841(a))

D-1 DONTSESE WOODS a/k/a DOLLA

On or about July 31, 2018 in the Eastern District of Michigan, the defendant, DONTSESE WOODS a/k/a DOLLA, knowingly and intentionally distributed a substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a).

COUNT TWELVE
Distribution of Cocaine Base
(21 U.S.C. § 841(a))

D-1 DONTSESE WOODS a/k/a DOLLA

On or about August 7, 2018 in the Eastern District of Michigan, the defendant, DONTSESE WOODS a/k/a DOLLA, knowingly and intentionally

distributed a substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a).

COUNT THIRTEEN

**Possession with Intent to Distribute Cocaine Base
(21 U.S.C. § 841(a))**

D-2 JAMES WOODS a/k/a DUTY

On or about September 8, 2018, in the Eastern District of Michigan, the defendant, JAMES WOODS a/k/a DUTY, knowingly and intentionally possessed with intent to distribute a substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a).

COUNT FOURTEEN

**Possession with Intent to Distribute Cocaine Base
(21 U.S.C. § 841(a))**

D-1 DONTSESE WOODS a/k/a DOLLA

On or about January 5, 2019, in the Eastern District of Michigan, the defendant, DONTSESE WOODS a/k/a DOLLA, knowingly and intentionally possessed with intent to distribute a substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a).

COUNT FIFTEEN

**Possession with Intent to Distribute Cocaine Base
(21 U.S.C. § 841(a))**

D-6 MERCEDES DENNY a/k/a JUICY

On or about January 17, 2019, in the Eastern District of Michigan, the defendant, MERCEDES DENNY a/k/a JUICY, knowingly and intentionally possessed with intent to distribute a substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a).

COUNT SIXTEEN

**Possession with Intent to Distribute Cocaine Base
(21 U.S.C. § 841(a))**

D-6 MERCEDES DENNY a/k/a JUICY

On or about February 4, 2019, in the Eastern District of Michigan, the defendant, MERCEDES DENNY a/k/a JUICY, knowingly and intentionally possessed with intent to distribute a substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a).

COUNT SEVENTEEN

**Distribution of Cocaine Base
(21 U.S.C. § 841(a))**

D-6 MERCEDES DENNY a/k/a JUICY

On or about February 4, 2019, in the Eastern District of Michigan, the defendant, MERCEDES DENNY a/k/a JUICY, knowingly and intentionally

distributed a substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a).

COUNT EIGHTEEN
Distribution of Cocaine Base
(21 U.S.C. § 841(a))

D-4 DAMARIO HORNE-MCCULLOUGH a/k/a RIO,

On or about February 4, 2019, in the Eastern District of Michigan, the defendant, DAMARIO HORNE-MCCULLOUGH a/k/a RIO, knowingly and intentionally distributed a substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a).

COUNT NINETEEN
Use of a Communication Facility
(21 U.S.C. § 843(b))

D-8 TYREESE WILSON a/k/a TY

Beginning on a date unknown to the grand jury, but at least since December 2018, and continuing at least until February 15, 2019, in the Eastern District of Michigan, TYREESE WILSON a/k/a TY, knowingly used and caused others to use a communication facility, that is a telephone, in committing, causing, and facilitating the commission of an act or acts constituting a felony under the Controlled Substances Act, that is, conspiracy to possess with intent to distribute and to

distribute cocaine base and heroin, in violation of 21 U.S.C §§ 846 and 841(a)(1), as set forth in Count One of this indictment and incorporated by reference herein.

All in violation of 21 U.S.C § 843(b).

FORFEITURE ALLEGATIONS

The allegations contained in Counts One through Nineteen of this Fourth Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture. Pursuant to Fed.R.Cr.P. 32.2(a), the government hereby gives notice to the defendants of its intention to seek forfeiture of all proceeds of the alleged violations, direct or indirect, or property traceable thereto; all property that facilitated the commission of the violations alleged, or property traceable thereto; all property involved in, or property traceable to, the violations alleged in this Fourth Superseding Indictment.

THIS IS A TRUE BILL.

Dated: September 11, 2019

s/GRAND JURY FOREPERSON

MATTHEW SCHNEIDER
United States Attorney

s/CHRISTOPHER W. RAWSTHORNE
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s/ANTHONY P. VANCE
ANTHONY P. VANCE
Assistant United States Attorney
Chief, Branch Offices

Companion Case information MUST be completed by AUSA and initialed.

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number 19-CR-20112
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: CWR

Case Title: USA v. DONTESE WOODS a/k/a DOLLA, ET. AL.County where offense occurred : GENESEECheck One: ☒ Felony ☐ Misdemeanor ☐ Petty

☐ Indictment/ ☐ Information --- no prior complaint.
☐ Indictment/ ☐ Information --- based upon prior complaint [Case number: _____]
☒ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case InformationSuperseding to Case No: 19-CR-20112 Judge: Matthew F. Leitman

- ☐ Original case was terminated; no additional charges or defendants.
☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☒ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name
Charges
 (21 U.S.C. § 841(b)(1))
Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

September 11, 2019

Date


 Christopher W. Rawsthorne
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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.